

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA, ET AL.)
EX REL. DR. JESSE POLANSKY,)

Plaintiff,)

-v.-)

PFIZER, INC.,)

Defendant.)

No. 04 CV 0704 (ERK) (ALC)

**NOTICE OF MOTION TO DISMISS
COUNTS I AND III THROUGH XIX
OF THE FIFTH AMENDED
COMPLAINT**

Original Filed By ECF

PLEASE TAKE NOTICE that, upon the Declaration of Mark S. Cheffo dated June 18, 2010, and the exhibits thereto, the accompanying Memorandum of Law, and all prior papers and proceedings herein, Defendant Pfizer Inc, by and through its undersigned counsel, will move this Court, before The Honorable Edward R. Korman, at the United States Courthouse, Courtroom 8A South, 225 Cadman Plaza East, Brooklyn, New York 11201, as soon as counsel may be heard, for an order (1) dismissing with prejudice Counts I and III through XIX of the Fifth Amended Complaint, and (2) granting such other and further relief as the Court deems just and proper.

Date: June 18, 2010
New York, New York

SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP

By: /s/ Mark S. Cheffo
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